

FISCAL NOTE

Bill #: HB0180

Title: Guardianship petition for youth in need of care

Primary

Sponsor: Loren Soft

Status: Third reading

Sponsor Signature	Date	Dave Lewis, Budget Director	Date
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Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:		
General Fund	\$53,102	\$43,803
State Special Revenue	(3,159)	(3,791)
Federal Special Revenue	15,353	11,344
Net Impact on General Fund Balance:	(\$53,102)	(\$43,803)

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
X		Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget	X		Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

Guardianship Subsidy:

- The policies for payment of a subsidized guardianship are the same as those for payment of a subsidized adoption.
- During FY 2000, 100 children will enter subsidized guardianship placements. This represents a backlog of 80 children waiting to enter the program and 20 annual placements.
- During FY 2001, another 20 children will enter subsidized guardianship placements.
- The monthly-subsidized guardianship payment would be \$10 per month less than the cost of foster care for the child: $100 * 12 * \$10 = \$12,000$ in FY 2000; $120 * 12 * \$10 = \$14,400$ in FY 2001.
- The children in subsidized guardianship placements would not receive payments for other support services which children in foster care may receive. During FY1998, 37.52% of the children in relative or family foster care received these services at a cost of \$438 per year: $100 * 37.52\% * \$438 = \$16,434$ in FY 2000; $120 * 37.52\% * \$438 = \$19,721$ in FY 2000.
- County funds and federal IVB funds would not be saved as these funding sources are capped and the maximum allowable funds from these sources will be collected.

(continued)

7. State special revenues from third party contributions and federal IV-E expenditures will be reduced.

Jury Trial on Petition for Termination of Parental Rights

8. During FY 1998, there were 513 parental rights termination actions.
9. Of the 513 termination actions where parents would have the right to a jury trial regarding the termination of parental rights, it is estimated that 50%, or 256 actions, would result in a jury trial.
10. An additional 20 hours of community social worker (grade 14) staff time for preparation and attendance in court will be required for each jury trial. ($20 \times 256 = 5,120$ hours or 2.5 FTE at \$34,191 per FTE or \$85,477 per year.
11. Each new FTE would need a computer and office package (desk, chair and file) at a cost of \$2,750 per FTE, for the first year only ($3 \times \$2,750 = \$8,250$).
12. It is estimated that each jury trial would be a 12-member jury panel, lasting 3 days; and that the average cost per day for a jury trial is \$470. Thus, the cost for each trial would be \$1,410.
13. The Department of Public Health and Human Services (DPHHS) would not be required to reimburse courts for the costs of the jury trial. ($\$1,410 \times 256 = \$360,960$)
14. The maximum allowable County funds and Federal IV-E funds are included in the Governor's budget, therefore, no additional funds from these sources are available to fund these expenditures.

FISCAL IMPACT:

	<u>FY2000</u>	<u>FY2001</u>
	<u>Difference</u>	<u>Difference</u>
FTE	2.50	2.50

Expenditures:

Personal Services	\$85,477	\$85,477
Operating Expenses	\$8,250	
Benefits	<u>(28,431)</u>	<u>(34,121)</u>
TOTAL	\$65,296	\$51,356

Funding:

General Fund (01)	\$53,102	\$43,803
State Special Revenue (02)	(3,159)	(3,791)
Federal Special Revenue (03)	<u>15,353</u>	<u>11,344</u>
TOTAL	\$65,296	\$51,356

Net Impact to Fund Balance (Revenue minus Expenditure):

General Fund (01)	(\$53,102)	(\$43,803)
State Special Revenue (02)	3,159	3,791
Federal Special Revenue (03)	(15,353)	(11,344)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES

There would be an impact to the local judicial districts resulting from the cost for conduction additional jury trials on petitions for terminations of parental rights.